



**LEGISLATION & PUBLIC
INFORMATION UNIT**

1831 K Street
Sacramento, CA 95811-4114
Tel: (916) 504-5800
TTY: (800) 719-5798
Intake Line: (800) 776-5746
Fax: (916) 504-5807
www.disabilityrightsca.org

March 27, 2018

Honorable Reginald Byron Jones-Sawyer, Sr.
Chair, Public Safety Committee
California State Assembly
Capitol Building, Room 2117
Sacramento, CA 95814

RE: AB 1968 (LOW) – OPPOSE

Dear Assembly Member Jones-Sawyer, Sr.:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **opposes AB 1968**. This bill is scheduled for hearing in the Assembly Public Safety Committee on April 3, 2018.

This bill would require that a person who has been taken into custody, assessed, and admitted to a designated facility because he or she is a danger to himself, herself, or others, as a result of a mental health disorder more than once within a one-year period be prohibited from owning a firearm *for the remainder of his or her life*. During that lifetime prohibition the individual is only allowed one opportunity for a hearing where the state must show, by a preponderance of the evidence, that the person would not be likely to use firearms in a safe and lawful manner, regardless of how many years may have passed between the confinement and a subsequent hearing.

DRC opposes this bill because it attributes violence to individuals with mental health disabilities where a link has not been established; attributes gun violence to a mental health disability; and, imposes firearm restrictions based on disability status rather than actual findings of violence and

dangerous behavior.

Individuals with mental health disabilities often face stigma and bias because of the false assumption that people with mental health disabilities are dangerous or violent. The perpetuation of misconceptions about violence and mental health disabilities results in these individuals facing discrimination in housing, employment, social situations, and basic civil rights protections.

Millions of adults in the United States have mental health disabilities and live successful, productive lives. They are our family members and friends, co-workers and colleagues. They live independently, work in jobs, and actively and positively contribute to society and the United States economy.

Many Americans believe people with mental health disabilities pose a threat of violence, a perception that has nearly doubled in the past half-decade. Stereotypes link violence and mental health disabilities. Dramatic depictions on television and in movies, media accounts and news stories, portray people with mental health disabilities as dangerous and focus on negative characteristics of these conditions (e.g., unpredictability and unsociability).

In fact, only a small amount, about four percent, of violence to others in the United States is attributable to mental health disabilities. This represents a small percentage of people who are violent, given some estimates that as many as one-half of all Americans report having a disabling mental health condition at least once in their lifetime. Individuals with mental health disabilities are more often the *victims* of violence than the perpetrators of violence. People are 2.5 times more likely to be *attacked*, mugged or raped than the general population if they have mental health disabilities, such as schizophrenia, bipolar disorder, or psychosis.

AB 1968, unfortunately, presumes that an individual who has had a period of involuntary treatment (two times within one year) will no longer likely be able, for an entire lifetime, to use firearms in a safe and lawful manner. This places a restriction on a person with a mental health disability without findings of violence or dangerous behavior. It perpetuates misconceptions about violence and mental health disabilities. Most importantly, it presupposes violent tendencies result from a mental illness.

For these reasons, DRC opposes this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Child". The signature is fluid and cursive, with the first name "Curtis" and last name "Child" clearly distinguishable.

Curtis Child
Legislative Director
Disability Rights California

cc: Honorable Evan Low, California State Assembly
Tatum Holland, Legislative Director, Office of Assembly Member
Evan Low
Honorable Members, Assembly Public Safety Committee
David Billingsley, Counsel, Assembly Public Safety Committee
Sean Hoffman, Legislation Director, California District Attorneys
Association